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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/740,733 | 12/19/2000 | Doug Billings | 6727/01088 | 4191 |
| 7278 | 7590 | 10/05/2005 | EXAMINER | |
| DARBY & DARBY P.C. P. O. BOX 5257 NEW YORK, NY 10150-5257 | | | SINGH, RACHNA | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2176 | |

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/740,733

Applicant(s)

BILLINGS ET AL.

Examiner

Rachna Singh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendments filed 07/28/05.
2. Claims 1-30 are pending. Claim 30 is a newly added claim. Claims 1, 13, 25, 26, 28, and 29 are independent claims.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-24 and 30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment, or machine which would result in a practical application producing a concrete, useful and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. The claim is non-statutory as failing to produce a concrete, useful, and tangible result.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3, 6-10, 13-15, 18-22, and 25-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Rawat, US 6,662,340 B2, 12/9/03 (field 5/30/02, Continuation-in-part of application filed on 4/28/00).

In reference to claims 1 and 25, Rawat discloses a means for mapping user data to an appropriate form field by examining label text on the form and assigning labels for fields lacking a label (or tag). See abstract. Rawat discloses the following:

-Assigning a label to fields that do not have labels. Mapping a field according to its context or using an algorithm to analyze the field's programmatic name. See columns 6-7. Compare to ***"providing labels to be assigned respectively to fields and one or more rules applicable to the contents of the fields according to the labels assigned thereto"***.

-Analyzing the field's programmatic name. Following the field name analysis, the field name is compared to the entries in the field label dictionary and a match is found. See column 7, lines 1-35. Compare to ***"reading the respective contents that have been filled into the fields;"***.

-Utilizing the default value with the field label dictionary that is found in the mapping of the field name to the dictionary as the label. See column 7, lines 1-35. Compare to ***"assigning the labels to the fields responsive to the application of the rules of the content"***.

In reference to claim 2, Rawat discloses analyzing the field's programmatic name. Following the field name analysis, the field name is compared to the entries in the field label dictionary and a match is found. See column 7, lines 1-35.

In reference to claim 3, Rawat discloses a means in which if a field lacks a label, the system identifies the mapping of at least one field preceding a current field and the mapping of the current field is based on the mapping of the preceding field. See column 10, lines 45-55.

In reference to claim 6, Rawat discloses a means in which if a field lacks a label, the system identifies the mapping of at least one field preceding a current field and the mapping of the current field is based on the mapping of the preceding field. See column 10, lines 45-55.

In reference to claims 7-10, Rawat discloses analyzing the field's programmatic name. Following the field name analysis, the field name is compared to the entries in the field label dictionary and a match is found. See column 7, lines 1-35. The dictionary could provide multiple label options such as a "area code" or "phone number" for a field comprising numbers. See columns 7-8. Rawat discloses utilizing the default value with the field label dictionary that is found in the mapping of the field name to the dictionary as the label. See column 7, lines 1-35.

Claims 13-15 and 18-22 are rejected under the same rationale used in claims 1-3 and 6-10 respectively above.

Claims 25, 28, and 29 are rejected under the same rationale used in claim 6 above.

In reference to claim 27, Rawat teaches that the form can comprise a plurality of fields which could include a form that is a table. The rest of claim 27 is rejected under the same rationale used in claim 1 above.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4-5 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rawat, US 6,662,340 B2, 12/9/03 (field 5/30/02, Continuation-in-part of application filed on 4/28/00) in view of Hetherington, US 2002/0010714 A1, 1/24/02 (filed 7/3/01, divisional of application filed 8/6/98).

In reference to claims 4-5 and 16-17, Rawat does not teach that the relation between the content fields is mathematical or semantic; however, Hetherington teaches a method of examining elements of data to determine attributes and examining the content of the elements and the contextual relationships to each other to determine semantic or syntactic information about the data. See page 17, paragraph [0370]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Hetherington's relationship matching in the system of Rawat in order to assign labels to the control items in an appropriate manner relative to the type of relationship among the different fields.

9. Claims 11-12 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rawat, US 6,662,340 B2, 12/9/03 (field 5/30/02, Continuation-in-part

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of application filed on 4/28/00) in view of Gupta et al., US 6,199,079 B1, 3/6/01 (filed 3/20/98).

In reference to claims 11-12 and 23-24, Rawat does not teach that the document comprises a plurality of form documents sharing a common layout and that the assignment is made with respect to all form documents. Rawat also does not teach that the assignment comprises choosing the assignment so as to satisfy a statistical criterion with respect to the satisfaction of the rules by the contents of the fields. Gupta, however, teaches identifying and matching identifiers from a form to a plurality of pages. See figure 1D and columns 9-10. The attributes are obtained from a first page and a matching pattern is determined to use the information for subsequent forms. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Gupta's recognition of patterns of data in fields of different forms to the system of Rawat as it extends its use to more than one document thus allowing fields of multiple documents to be labeled appropriately thus saving time spent by a user manually entering labels for common fields among multiple documents.

Response to Arguments

10. Applicant's arguments filed 07/28/05 have been fully considered but they are not persuasive.

Applicant argues Rawat examines the code behind an electronic form before the form is filled out, in order to determine how the form should be filled out whereas the current invention examines content after the form has been filled out. It is true that Rawat teaches examining the code behind an electronic form before the form is filled

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out; however, he also teaches examining the content if there is not a label, thus teaching assigning a label to fields that do not have labels. This entails comparing the field name to entries in a field label dictionary until a match is found and utilizing the value in the dictionary that is found in the mapping of the field name to the dictionary as a label. See columns 6 and 7, lines 1-35.

Newly added claim 30 has been rejected above. In view of the comments above, the rejection is maintained.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RS
09/29/05

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
9/30/2005